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PATENT
Customer No. 32692 (3M)
Attorney Docket No. 54334US019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Zheng Z. WU, et al.) Group Art Unit: 1616
Application No.: 10/630,414) Examiner: Mina Haghigian
Filed: July 30, 2003) Conf. No.: 9005
For: C-21 OH 20-KETOSTEROID)
SOLUTION AEROSOL)
PRODUCTS WITH ENHANCED)
CHEMICAL STABILITY)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Summary of Examiner Interview Pursuant to 37 C.F.R. § 1.133(b)

Applicants thank the Examiner for the courtesy extended to Applicants' representative during two telephone conversations on January 17, 2007. During the first conversation, Applicants' undersigned representative raised Applicants' confusion over the Office Communication mailed December 19, 2006. In particular, Applicants' representative pointed out that claims 38-48, which were presented in a Preliminary Amendment dated April 9, 2004, as copied from U.S. Application Publication Nos. US 2003/0066525 A1 and 2003/0089369 A1, were cancelled in an Amendment dated February 22, 2005 and filed in Application No. 11/061,529 on February 22, 2005. Thus, Applicants did not understand the Office's requirement in the now withdrawn Office Communication mailed December 19, 2006 for a Suggestion for Interference pursuant

to the new rules of 37 C.F.R. § 41.202 in this application. Nor was it clear what was meant in the Communication by the requirement "to make this additionally suggested claim." Thus, in the first interview, Applicants' representative stated that it would be more appropriate for the Office to request a formal Suggestion for Interference in the co-pending '529 application.

The Examiner, after consulting with Interference Practice Specialist Cecilia Tsang, informed Applicants' representative during the second telephone conversation that the Office Communication mailed December 19, 2006¹ would be vacated as issued in error in view of the fact that claims 38-48 have been cancelled in the present application. The Examiner stated that, in view of the impending apparent deadline for response of January 19, 2007, she would fax to Applicants' representative an Interview Summary form, but that Ms. Tsang would have to change the status of the application in the PALM system before the Interview Summary form could be officially mailed to Applicants.

Applicants thank the Examiner for faxing a copy of the Interview Summary on January 18, 2007. Applicants wish to point out that the Interview Summary's reference to "the letter sent to them on 12/05/06" and "the letter of 12/05/06" clearly is referring to the Office Communication mailed December 19, 2006, which was the subject of discussion in the first and second interviews and which lists on the second page under

¹ During the first conversation, Applicants' representative also raised Applicants' confusion over the discrepancy between the time period provided on the first page of the Office Communication mailed December 19, 2006, which lists a three-month shortened statutory period of response, and the time period provided on the second page, which refers to a one-month or thirty-day period of response, which could not be extended under the provisions of 37 C.F.R. § 1.136.

the item "Paper" a date of "20061205." Applicants also wish to clarify the statement in the Interview Summary that "the currently pending claims 29-37 are not involved in any interference." While to their knowledge these particular claims are not currently involved in an interference, Applicants are aware that Lewis et al. (Chiesi Farmaceutici) has requested an interference in at least co-pending Application No. 10/290,225 with Applicants' parent U.S. Pat. No. 6,315,985, and in Application No. 11/060,564 with claims as published in the instant application (Publication No. 2004/0033201), but which claims have since been cancelled. Also, as indicated above, Applicants copied claims from U.S. Application Publication Nos. US 2003/0066525 A1 and 2003/0089369 A1 to Lewis et al. in the instant application before cancelling those claims on February 22, 2005, and filing them in co-pending Application No. 11/061,529.

Please grant any extensions of time required to enter this paper and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 19, 2007

By: Lara C. Kelley
Lara C. Kelley
Reg. No. 41,551